

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Gerald Zuniga v. County of L.A., et al.
CASE NUMBER	PC 037154
COURT	Los Angeles Superior Court
DATE FILED	May 27, 2005
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ 250,000.00
ATTORNEY FOR PLAINTIFF	John Mitchell, Esq. John H. Mitchell, PLC (559) 733-9898
COUNTY COUNSEL ATTORNEY	Brian T. Chu Principal Deputy County Counsel (213) 974-1956
NATURE OF CASE	<p>This case involves a collision at the Rye Canyon Road on-ramp of the southbound Interstate 5 Freeway, between a semi-truck driven by the Plaintiff and a Sheriff's jail van. The accident occurred on December 27, 2004, during wet surface conditions. As the van entered the freeway on-ramp, the Deputy driving the van lost control, which caused the van to spin counterclockwise and enter the freeway backwards. The van collided with the semi-truck traveling southbound on the freeway and then into the freeway center divider. The semi-truck then collided into a nearby building. The Plaintiff is the driver of the semi-truck. A jail inmate, who was a passenger in the Sheriff's van, also filed a lawsuit, which was consolidated with this case. As a result of the collision, the Plaintiff received soft tissue injuries to his neck, back, shoulders, abdomen, and right knee, and was diagnosed with a compression fracture of the lumbar</p>

spine. Additionally, the Plaintiff continues to have lower back pain radiating into both legs, and urological impairment. The Plaintiff filed suit for his injuries against the County and the Deputy, alleging that the van was driven too fast for the wet conditions. The County and the Deputy contend that the Deputy was driving reasonably for the conditions, but nevertheless lost control of the van due to a hidden dangerous condition of the on-ramp. Considering the inherent risks and uncertainties involved in a trial, and the potential liability and potential exposure to an adverse verdict, the County proceeded with settlement negotiations and was eventually able to develop this recommended settlement with the plaintiff.

PAID ATTORNEY FEES, TO DATE	\$24,545.50
PAID COSTS, TO DATE	\$12,940.00